

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

LARRY MARTIN WRIGHT AND KERI
SUMMER TIPPIE,

Plaintiffs,

v.

FIRST NATIONAL BANK OF
LIVINGSTON,

Defendant.

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CIVIL ACTION NO. 9:23-CV-000105-MJT
JUDGE MICHAEL TRUNCALE

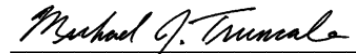
ORDER ADOPTING REPORT AND RECOMMENDATION

On November 22, 2024, the Court referred two motions to United States Magistrate Judge Zack Hawthorn for consideration and disposition: Defendant First National Bank of Livingston's *Amended Motion to Dismiss* [Dkt. 15] and its *Motion for Summary Judgment* [Dkt. 26]. Doc. No. 52. On January 29, 2025, Judge Hawthorn issued his *Report and Recommendation*, which recommends granting First National's *Motion for Summary Judgment*. [Dkt. 63].

The Court reviewed Judge Hawthorn's *Report and Recommendation* along with the record, pleadings, and all available evidence. The Court affirms that Judge Hawthorn's findings of fact and conclusions of law are correct. The parties have not filed objections to the report and recommendation, and the time for doing so has passed. *See* 28 U.S.C. § 636(b)(1)(C).

It is, therefore, ORDERED that Judge Hawthorn's *Report and Recommendation* [Dkt. 63] is ADOPTED. Accordingly, Defendant First National Bank's *Motion for Summary Judgment* [Dkt. 26] is GRANTED and its *Amended Motion to Dismiss* [Dkt. 15] is DENIED AS MOOT.

SIGNED this 25th day of March, 2025.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge